

REMARKS

Applicant has carefully reviewed the Office Action dated September 20, 2004. Applicant has amended Claims 1 and 2, and canceled Claim 3, to more clearly point out the present inventive concept. Reconsideration and favorable action is respectfully requested.

Claims 2, 5 and 15 were objected to based upon various formalities. These claims have been amended in accordance with the Examiner's suggestions. Therefore, Applicant believes that these amended claims overcome the objections that the Examiner had.

Claims 1, 2 and 13-15 stand rejected under 35 U.S.C. § 102(b) as being anticipated by *Sampson et al.* This rejection is respectfully traversed with respect to the amended claims.

Applicant's present inventive concept, as defined by the amended claims, is directed toward a system for monitoring the operation of a distributed transaction system wherein the transaction is initiated at one node and then the transaction proceeds to discrete processes that are operated on intermediate nodes and the system. Each of the intermediate nodes performs a discrete process wherein it receives information, processes that information and then passes the information on to possibly another discrete process or it comprises the end node in the transaction, which end node sums all of the results of the last discrete processes preceding that final node. The monitoring of the transaction requires that the transaction be initiated at one node to process data and then this data is transferred to one or more of the intermediate nodes for follow on processing. The monitoring function is operable to monitor the start and completion of a given process for the entire transaction and on a given node for the purpose of determining if that process has possibly failed and also to monitor the time that it takes the process to complete on a given node for the purpose of determining local resources. Thus, each of the processes can operate independently of the other processes because all of the information necessary to determine which discrete process is to be operated upon at a given node is contained within the data transferred thereto and, after processing, the data is then transferred to a subsequent node which is not controlled by an overall control system; rather, it just happens to be a node in the system that has been

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dedicated to this particular discrete process. However, with a large number of discrete processes in a distributed processing system, there may be some nodes that operate slower than others for the given associated discrete process.

The *Sampson et al.* reference operates on a plurality of sub-routines or sub-processes that, when taken together, comprise the entire process. These are transferred to various processing nodes for the sub-processes or the various sub-nodes to process data for later retrieval by the top level process. However, this is a process wherein there are provided a plurality of sub-processes that operate in the background independent of each other and independent of data sent thereto. For example, in Col. 58, line 14, the "movement optimization process" is described. This is the example of one sub-process. This sub-process receives an information set that is provided from a database to provide an output information set. In this process, this output information set is operable to achieve optimal asset movement to effect cover of credit exposure among the counter parties. This process has multiple sub-processes thereto, such as a problem solving stage, a solution utilization stage, and a problem modeling stage. This sub-process operates independent of the system such that the information is ready whenever the main process requests such information and wherein it requires no data from the main process or other sub-processes. This system is not set up, as set forth in Applicant's present inventive concept, wherein a transaction from beginning to end occurs wherein each sub-process or discrete process requires information and data from another previous process for processing at the given node to complete information for transfer to the next subsequent process. As such, Applicant believes that *Sampson et al.* does not anticipate the claims as amended. Further, the claims have been amended to include the limitations of Claim 3, wherein the amount of time required for the process to be executed at each of the intermediate nodes associated with the discrete processes to determine the time that a particular discrete process can be implemented on a particular discrete intermediate node. Therefore, Applicant believes that *Sampson et al.* does not anticipate or obviate the invention as defined by the amended claims and, therefore, Applicant respectfully requests withdrawal of the 35 U.S.C. § 102(b) rejection with respect to Claims 1, 2 and 13-15.

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The Examiner has rejected Claims 3 and 10 under 35 U.S.C. § 103(a) as being unpatentable over *Sampson et al.* This rejection is respectfully traversed.

The Examiner has noted that *Sampson et al.* does not disclose monitoring the length of time that the initiated one of the plurality of processes requires for completion at the given one of the intermediate nodes. The Examiner states that one of ordinary skill in the art would have monitored the length of time that the transaction requires or to determine if a failure has occurred which would effect the credit transactions. The purpose of monitoring the length of time the transaction requires for completion is not the reason for monitoring the length of time. If a transaction does not complete, it is not necessary to determine at which node the transaction failed. The length of time is utilized for the purpose of determining available resources. *Sampson et al.* has no disclosure set forth therein regarding this aspect of Applicant's system. Therefore, Applicant believes that Claims 3 and 10, noting that Claim 3 is canceled and has the limitations thereof incorporated into Claim 1, are not anticipated or obviated by *Sampson et al.* Therefore, Applicant respectfully requests withdrawal of the 35 U.S.C. § 103 rejection with respect to Claim 10, as Claim 3 has been cancelled and the limitations thereof incorporated into Claim 1.

Applicant has now made an earnest attempt in order to place this case in condition for allowance. For the reasons stated above, Applicant respectfully requests full allowance of the claims as amended. Please charge any additional fees or deficiencies in fees or credit any overpayment to Deposit Account No. 20-0780/ATTA-25,123 of HOWISON & ARNOTT, L.L.P.

Respectfully submitted,
HOWISON & ARNOTT, L.L.P.
Attorneys for Applicant

Gregory M. Howison
Registration No. 30,646

GMH/yoc/keb
P.O. Box 741715
Dallas, Texas 75374-1715
Tel: 972-479-0462
Fax: 972-479-0464
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